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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/100,633 | 06/19/1998 | T. WILLIAM HUTCHENS | 016866-00220 | 8772 |

7590 09/03/2004
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EXAMINER

WESSENDORF, TERESA D

| ART UNIT | PAPER NUMBER |
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1639

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

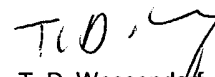
| | | | |
|---|------------------------|---------------------|--|
| Response to Rule 312 Communication | Application No. | Applicant(s) | |
| | 09/100,633 | HUTCHENS ET AL. | |
| | Examiner | Art Unit | |
| | T. D. Wessendorf | 1639 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 05 April 2004 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

The claim listing cancels claims 93-98. However, the REMARKS at page 4 states "Applicants are now electing to cancel claims 97 and 98 without prejudice to further prosecution in a related case". Hence, it is confusing as to the claims that should be cancelled.


 T. D. Wessendorf
 Primary Examiner
 Art Unit: 1639